

# Notice of Allowability

Application No.

09/698,219

Examiner

John L. Goff

Applicant(s)

KOBAYASHI ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the After Final Amendment received 6/28/05.
2. ☒ The allowed claim(s) is/are 1,2,7 and 8.
3. ☒ The drawings filed on 30 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/3/01,10/31/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 07062005
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Jennifer Leach on 7/6/05.
3. The application has been amended as follows:  
**In the Claims:**
  4. In claim 7, line 3 delete "(canceled).".
  5. In claim 8 line 3 delete "one of".
  6. In claim 8, line 3 delete "methods (1)" and insert therein - - method - -.
  7. In claim 8, line 4 delete "(1)".
  8. In claim 8, line 6 delete "1".
  9. Cancel claims 12-32.
  10. Claims 1, 2, 7, and 8 are allowed.

### REASONS FOR ALLOWANCE

11. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach or suggest a method of surface treating a fluorine resin to **produce radical-generating functional groups** on a surface of the resin such that **in a subsequent step the absorbance at the surface is measured by iodometry and the absorbance at 360 nm is at least 0.02/100 cm<sup>2</sup>**. It is noted Kusano et al., Ryan, and Yoshikawa et al. are exemplary of the well known and conventional technique of subjecting a fluorine resin to a corona discharge treatment in an inert (e.g. nitrogen) gas atmosphere to produce radical-generating functional groups on the surface of the resin wherein Kreil et al. is cited to show it is conventional in the art that an inert gas atmosphere such as a nitrogen atmosphere is taken to have 100 ppm or less (e.g. preferably 10-40 ppm) oxygen. The corona discharge treatments performed by Kusano et al., Ryan, and Yoshikawa et al. are the same as that claimed and they are consistent and in agreement with applicants specification (See the examples and in particular page 25 under the heading Corona discharge treatment) such that it appears the surface treated fluorine resins taught by Kusano et al., Ryan, and Yoshikawa et al. would inherently have the claimed absorbance values. However, none of the references disclose specifically measuring the absorbance of the surface treated resins by iodometry after performing the corona discharge. Nishi et al. (U.S. Patent 6,165,575) disclose a granulated fluorine powder subjected to a corona discharge treatment in air, extruding the powder into a pellet, heat treating/surface treating the pellet, and measuring the absorbance of the pellet by IR spectrometry (Example 6). However, Nishi et al. do not specifically teach either of the surface treatments produce radical-generating functional groups on the surface of the pellet. Nishi et al. do not teach measuring the absorbance

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by iodometry at 360 nm, and Nishi et al. do not teach the absorbance at 360 nm is 0.02/100 cm<sup>2</sup> or over.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### CONCLUSION


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is (571) 272-1216. The examiner can normally be reached on M-F (7:15 AM - 3:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John L. Goff



JEFF H. AFTERGUT  
PRIMARY EXAMINER  
GROUP 1300